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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,900	12/20/2001	William David Hall		2154

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EXAMINER

FOSTER, ROLAND G

ART UNIT PAPER NUMBER

2645

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/028,900	Applicant(s) HALL, WILLIAM DAVID	
	Examiner Roland G. Foster	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-19 and 23-29 is/are rejected.
- 7) ☒ Claim(s) 20-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 10-13, 15-19, and 23-29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,009,333 to Chaco (hereinafter "Chaco").

With respect to claim 1, Chaco discloses a system for dynamically coordinating meetings (abstract). The system comprises a scheduling database 16 for storing meeting data (Fig. 13). The meeting data includes indications of meetings to be held, potential parties (e.g., Darlene, Ted), and both the location and indications of the relevant location of certain parties including current (real time) location (col. 5, lines 31-48). A scheduling unit 14 (scheduler) is coupled to scheduling database 16 and generates and updates the meeting schedules including all the parameters discussed above based on meeting database stored in the database, such as when a group schedule is developed and various users update to the group schedule information (col. 11, line 33 – col. 12, line 5). The system comprises a communication system (PBX 10) for notifying the users of the meeting (e.g., col. 12, lines 5-20).

With respect to claim 2, the system comprises transceivers (trackers) coupled to the database, which detects the current (real time) location of the user (Figs. 1 and 2).

With respect to claim 3, see col. 5, lines 31-48.

With respect to claim 4, see col. 12, lines 5-20.

With respect to claims 10-12, the PBX includes a telecommunications means to enable audio communication of information stored in the database to at least one of the called parties (col. 2, lines 15-24, col. 3, lines 20-30, col. 9, line 61 – col. 10, line 20), where the audio information is also communicated using an interactive voice response method (e.g., col. 10, lines 30-63, col. 11, lines 42-52, and col. 11, line 65 – col. 12, line 5).

With respect to claim 13, the system also supports additional media such as graphical user interface and paging means.

With respect to claim 15, the portable units 34 and 36 are wireless and are used to receive meeting information, (Fig. 1, col. 3, lines 30-50, and col. 9, line 61 – col. 10, line 6).

With respect to claims 16 and 17, the scheduling system includes the parties for the meeting (as discussed in the claim 1 rejection above) and thus serve as constraints

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representing parties that must be present (according to the scheduling software) for the meeting. The inclusion of several parties is functionally equivalent to the Boolean logic "and" operator (i.e., both Darlene and Ted are scheduled to attend the meeting, Fig. 13).

With respect to claims 18 and 19, see Fig. 13.

With respect to claims 23-26, during the development of group meetings, the parties input information regarding preferences for feasible times after being informed of proposed schedules. The resulting schedule is thus optimized for the various participants. See the claim 1 rejection regarding the schedule update and generation process for further details.

With respect to claims 27 and 28, the scheduler acts as an interface between the database and a supervisor (trained dispatch personnel) (col. 5, lines 32-48). As discussed above, each party can input their schedule constraints and thus determine to some extent the order of the final group schedule.

With respect to claims 29, the system includes a variety of communication devices (portable units 34 and 36, telephone 30, and pagers) (as discussed above) that let the user determine their schedule.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaco as applied to claims 1 and 2 above.

Although Chaco discloses tracking the user's real time location, Chaco fails to disclose tracking the user's vehicle using GPS, dead reckoning, or cellular positioning of the party's wireless phone).

However, "Official Notice" is taken that both the concepts and advantages of telephonic systems designed to track a user's vehicular location, using GPS, dead reckoning, or cellular positioning would have been well known and expected in the art.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add to the user tracking system disclosed by Chaco the additional ability to track the user's vehicular location using methods such as GPS, dead reckoning, and cellular positioning,

The suggestion/motivation for doing so would have been to increase the accuracy and versatility of user location detection, by adding the ability to detect the user's vehicular location using widely known, industry standard, and relatively accurate and efficient methods such as GPS, dead reckoning, and cellular positioning.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaco as applied to claims 1 and 13 above, and further in view of U.S. Patent No. 6,760,412 B1 to Loucks (hereinafter "Loucks").

Although Chaco discloses sending the scheduling information to the user (e.g., such as by using a pager), Chaco fails to disclose using the Internet.

However, Loucks (similarly to Chaco) teaches of a scheduling system (abstract) that sends scheduling information to the user via the Internet, such as when sending information to the user's pager (Fig. 6 and col. 13, lines 24-30).

Therefore, it would have been obvious to add Internet notification, such as paging via the Internet, as taught by the scheduling system of Loucks to the scheduling system disclosed by Chaco, which also support paging.

The suggestion/motivation for doing so would have been to increase communication accessibility and reliability and to reduce communication cost by relying the Internet, which would have been notoriously well known in the art. Further, the use

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of paging via the Internet, such as by sending an e-mail to an e-mail address corresponding to a paging system, would have increased the scheduling system's mobility (Loucks, col. 1, line 65 – col. 2, line 7).

Allowable Subject Matter

Claims 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Examiner's Reasons for Indicating Allowable Subject Matter

Claims 20-22 are directed to a storing a probability distribution in the database regarding the time required for the parties to travel between meeting locations, the locations parties may be at before and after the meetings, and the time required to hold the meetings.

The closest prior art of record is Chaco as applied above. Chaco discloses the limitations recited in the independent claim directed to the detailed storing and processing of various specific meeting data (as discussed above) but fails to disclose storing and using probability distribution data in the manner recited above.

The remaining prior art of record fails to teach or fairly suggest modifying Chaco in order to arrive at the invention as claimed in detail by the applicant.

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The above reasons for allowance are based on the claims as presently set forth in their totality. The above reasons for allowance should not be interpreted as indicating that amended claims broadly reciting certain limitations discussed in the above reasons for allowance would be allowable. A more detailed reasons for allowance may be set forth in a subsequent Notice of Allowance if and when all claims in the application are put into a condition for allowance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.



Roland G. Foster
Primary Patent Examiner
September 30, 2004